

**FILED**

**2008 AUG 22 PM 4:19**

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

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Attorneys for Defendant  
MBIA, INC.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

CITY OF LOS ANGELES,  
Plaintiff,

v.

AMBAC FINANCIAL GROUP INC.;  
MBIA, INC.; XL CAPITAL  
ASSURANCE INC.; ACA FINANCIAL  
GUARANTY CORP; FINANCIAL  
GUARANTY INSURANCE COMPANY;  
CIFG ASSURANCE NORTH AMERICA,  
INC.; JASON KISSANE; NEIL PACK;  
and Does 1 – 50,

Defendants.

Case No.

**CAS**  
**CV08-05554 (CW/x)**

**NOTICE OF PENDENCY OF  
OTHER ACTIONS OR  
PROCEEDINGS**

(L.A. Superior Court,  
Case No. BC394943)

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

2 Pursuant to Civil Local Rule 3-13 of this Court, the undersigned, counsel of  
3 record for defendant MBIA, INC., believes that the instant action involves all or a  
4 material part of the subject matter of a nearly identical action filed on July 23, 2008  
5 on behalf of the City of Los Angeles in the Superior Court of California in and for  
6 the County of Los Angeles, entitled City of Los Angeles v. Ambac Financial Group  
7 Inc. *et al.*, Case No. BC394943. The instant action and this other action allege the  
8 same statutory and common law claims against the same defendants based on the  
9 same or similar alleged acts or omissions.

10 The undersigned also believes, based on various media reports, that there may  
11 be, in addition to the other action identified above, additional actions brought on the  
12 same or similar grounds against the same defendants in other jurisdictions throughout  
13 the state; the undersigned has no specific knowledge of such actions, but believes  
14 such actions may be filed in the future.

15 DATED: August 22, 2008

16 PROSKAUER ROSE LLP  
17 SCOTT P. COOPER  
18 KEITH BUTLER

19 By: 

20 Scott P. Cooper  
21 Attorneys for Defendants  
22 MBIA, INC.  
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